

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTROPOWER LIQUIDATING TRUST, :
f/k/a ASTROPOWER, INC., :
 :
Plaintiff, :
 :
v. : Civil Action No. 06-469-JJF
 :
KPMG LLP, :
 :
Defendant. :
 :

O R D E R

At Wilmington, this 25 day of May 2007, for the reasons set forth in the Memorandum Opinion issued this date;

IT IS HEREBY ORDERED that Defendant KPMG LLP's Motion To Dismiss (D.I. 9) is DENIED.

May 25, 2007
DATE

Joseph D. Faurman
UNITED STATES DISTRICT JUDGE